

COPY OF PAPERS  
ORIGINALLY FILED

Receipt \$

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/071,166
Filing Date	02/08/2002
First Named Inventor	Richard E. Smalley
Group Art Unit	1754
Examiner Name	Not yet assigned
Attorney Docket Number	11321-P021US

Total Number of Pages in This Submission **23**

## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
  - Request for Corrected Filing Receipt
  - Postal Receipt Card

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kelly K. Kordzik
Signature	
Date	June 11, 2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **June 11, 2002**

Typed or printed name	Gracie Solis		
Signature		Date	06/11/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00

**Complete if Known**

Application Number	10/071,166
Filing Date	February 8, 2002
First Named Inventor	Richard E. Smalley
Examiner Name	Not yet assigned
Group Art Unit	1754
Attorney Docket No.	11321-P021US

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

23-2426

Deposit  
Account  
Name

Winstead Sechrest &amp; Minick

☐ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$)	Code (\$)	Code (\$)	Code (\$)	
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims		-20** =		X		=	
Multiple Dependent		-3** =		X		=	

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$)	Code (\$)	Code (\$)	Code (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	130.00
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	400	216	200			Extension for reply within second month	
117	920	217	460			Extension for reply within third month	
118	1,440	218	720			Extension for reply within fourth month	
128	1,960	228	980			Extension for reply within fifth month	
119	320	219	160			Notice of Appeal	
120	320	220	160			Filing a brief in support of an appeal	
121	280	221	140			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,280	241	640			Petition to revive - unintentional	
142	1,280	242	640			Utility issue fee (or reissue)	
143	460	243	230			Design issue fee	
144	620	244	310			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR 1.17(q)	
126	180	126	180			Submission of Information Disclosure Stmt	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	740	246	370			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370			For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

**SUBMITTED BY**

Name (Print/Type)

Kelly K. Kordzik

Registration No.  
(Attorney/Agent)

36,571

Complete (if applicable)

Telephone

512.370.2851

Signature

Date

06/11/2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

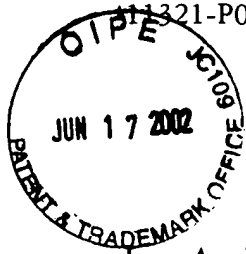
ATTORNEY DOCKET NO.

U.S. SERIAL NO.

111321-P021US

10/071,166

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Smalley, et al.  
Serial No.: 10/071,166  
Filed: February 8, 2002  
Confirmation No: 8622  
Group Art Unit: 1754  
Examiner: not yet assigned  
For: Gas-Phase Process for Purifying Single-Wall Carbon  
Nanotubes and Compositions Thereof

CERTIFICATE OF MAILING

Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Office of Initial Patent Examination Customer Service Center, Washington, D.C. 20231, on the date indicated below.

Signature

Printed

Date

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

- Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
- There is an error in that the following is:  
X incorrectly entered:

- Please add the following two inventors:

Wilbur Carter Kittrell

Zhenning Gu

This correction of the inventors is filed under 37 CFR 1.48(f), with the filing of the first executed Oath or Declaration under 27 CFR 1.63. (MPEP 201.03)

ATTORNEY DOCKET NO.  
11321-P021US

COPY OF PAPERS  
ORIGINALLY FILED

U.S. SERIAL NO.  
10/071,166

2

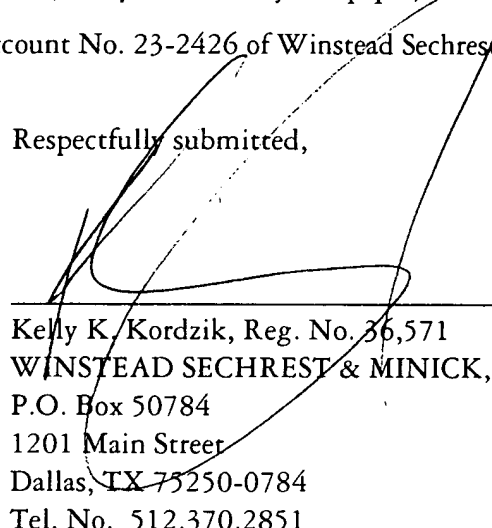
- ☐ omitted
- ☐ Applicant's name
  - ☐ Applicant's address
  - ☐ Title
  - ☐ Filing Date
  - ☐ Serial Number
  - ☐ Foreign/PCT Application Reference
  - ☐ Other

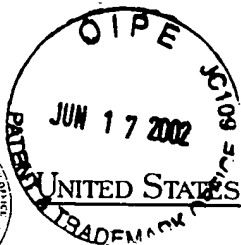
In that the filing receipt should read as follows: \_\_\_\_\_

3. It is believed that no fees are due. However, if any fee is due by this paper, the Director is hereby authorized to charge any fee due to Deposit Account No. 23-2426 of Winstead Sechrest & Minick P.C.

Respectfully submitted,

Date: June 11, 2002

  
\_\_\_\_\_  
Kelly K. Kordzik, Reg. No. 36,571  
WINSTEAD SECHREST & MINICK, P.C.  
P.O. Box 50784  
1201 Main Street  
Dallas, TX 75250-0784  
Tel. No. 512.370.2851



COPY OF PAPER  
ORIGINALLY FILED

Page 1 of 2

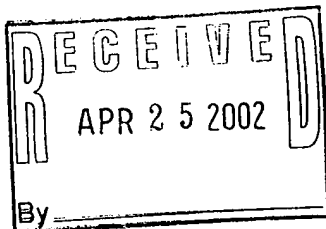
# 3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/071,166	02/08/2002	1754	1892	11321- P021US	3	70	6

Ross Spencer Garsson  
Winstead Sechrest & Minick P.C.  
P.O. Box 50784  
1201 Main Street  
Dallas, TX 75250-0784



CONFIRMATION NO. 8622

FILING RECEIPT



\*OC000000007849606\*

DOCKETED



4/25/02

Date Mailed: 04/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Richard E. Smalley, Houston, TX;  
Robert H. Hauge, Houston, TX;  
Wan-Ting Chiang, Ponca City, OK;  
Yuemei Yang, Houston, TX;  
Kenneth A. Smith, Spring, TX;

Wilbur Carter Kittrell, Houston, TX;  
Zhenning Gu, Houston, TX

Assignment For Published Patent Application

William Marsh Rice University, Houston, TX;  
Carbon Nanotechnologies, Inc., Houston, TX;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/268,228 02/12/2001  
AND CLAIMS BENEFIT OF 60/284,419 04/17/2001

Foreign Applications

If Required, Foreign Filing License Granted 04/11/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

ATTORNEY DOCKET NO.  
11321-P021US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Smalley, et al.

Serial No: 10/071,166

Filing Date: February 8, 2002

Group Art Unit: 1754

Confirmation No: 8622

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is addressed to Box MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231, and is being deposited with the U.S. Postal Service with sufficient postage as first class mail on Jun 11, 2002.

Signature

Gracie Solis  
Printed

Title: GAS-PHASE PROCESS FOR PURIFYING  
SINGLE-WALL CARBON NANOTUBES AND COMPOSITIONS THEREOF

Assistant Commissioner for Patents  
Box: MISSING PARTS  
Washington, D.C. 20231

Dear Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

In response to the Notice to File Missing Parts of Application *Filing Date Granted*, dated April 11, 2002, enclosed are the following documents:

1. Inventor Declaration (8 sheets);
2. Power of Attorney or Authorization of Agent from Inventors (7 sheets)
3. Power of Attorney or Authorization of Agent from assignee William Marsh Rice

University, along with a Statement Under 37 CFR 3.73(b) (3 sheets);

4. Power of Attorney or Authorization of Agent from assignee Carbon Nanotechnologies, Inc., along with a Statement Under 37 CFR 3.73(b) (2 sheets);

5. A check in the amount of \$130.00 to cover the fees for Missing Parts;

ATTORNEY DOCKET NO.  
11321-P021US

COPY OF PAPERS  
ORIGINALLY FILED

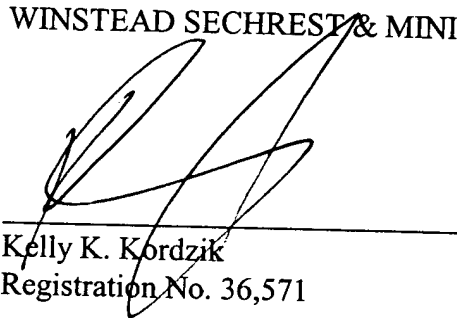
PATENT  
10/071,166

6. A copy of the Notice to File Missing Parts of Application;
7. Request for Corrected Filing Receipt; and
8. Postal Receipt Card.

It is believed that no additional fee is due. If this is incorrect, the Director is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 23-2426.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

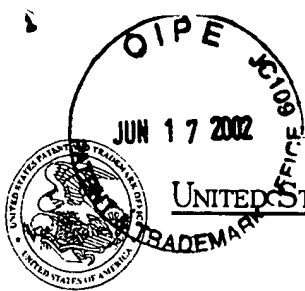


Kelly K. Kordzik  
Registration No. 36,571

Date: June 11, 2002

P.O. Box 50784  
1201 Main Street  
Dallas, Texas 75250-0784  
Telephone: (512) 370-2851  
Facsimile: (214) 745-5390

DALLAS\_1136618003  
11321-P021US 06/11/2002



COPY OF PAPERS  
ORIGINALLY FILED

Page 1 of 1

*A 3*

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/071,166	02/08/2002	Richard E. Smalley	11321-P021US

CONFIRMATION NO. 8622

FORMALITIES LETTER



\*OC000000007849607\*

Ross Spencer Garsson  
Winstead Sechrest & Minick P.C.  
P.O. Box 50784  
1201 Main Street  
Dallas, TX 75250-0784

Date Mailed: 04/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*S.B*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/21/2002 MAHHE1 00000135 10071166

01 FC:105

130.00 DP